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In Propria Persona

**UNITED STATES DISTRICT COURT FOR
THE CENTRAL DISTRICT OF CALIFORNIA
WESTERN DIVISION**

TODD R. G. HILL, et al,

Plaintiffs

vs.

**THE BOARD OF DIRECTORS,
OFFICERS AND AGENTS AND
INDIVIDUALS OF THE PEOPLES
COLLEGE OF LAW, et al.,**

Defendants.

CIVIL ACTION NO. 2:23-cv-01298-JLS-BFM

The Hon. Josephine L. Staton
Courtroom 8A, 8th Floor

Magistrate Judge Brianna Fuller Mircheff
Courtroom 780, 7th Floor

**PLAINTIFF'S REPLY TO STATE BAR
DEFENDANTS' OPPOSITION TO
PLAINTIFF'S MOTION FOR
RECONSIDERATION**

NO ORAL ARGUMENT REQUESTED

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**REPLY TO STATE BAR DEFENDANTS' OPPOSITION TO PLAINTIFF'S
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TO ALL PARTIES AND THEIR ATTORNEYS OF RECORD:

Plaintiff respectfully submits this reply to address the limited and procedurally insufficient opposition (Dkt. 262) filed by the State Bar Defendants in response to Plaintiff's Motion for Reconsideration (Dkt. 253).

The Opposition makes no substantive effort to engage with the central bases for reconsideration: namely, (1) the Court's omission of strict scrutiny under *Students for Fair Admissions, Inc. v. President & Fellows of Harvard Coll.*, 600 U.S. ___, 143 S. Ct. 2141 (2023), (2) the failure to apply the *Ex Parte Young* doctrine (See *Ex parte Young*, 209 U.S. 123 (1908)), to claims for prospective injunctive relief, (3) the Court's disregard of multiple pending motions for judicial notice involving uncontested evidence of systemic misconduct, and (4) the procedural and substantive significance of newly confirmed evidence submitted after the ruling.

Instead, the State Bar mischaracterizes the motion as merely repetitive and conclusory, and fails to acknowledge that the April 2, 2025 roles disclosure constitutes new evidence arising *after* the Court's Order (Dkt. 248). This disclosure is not redundant and confirms the ongoing supervisory roles of State Bar personnel over matters directly implicating the litigation and record suppression

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1 already briefed. These facts were not available at the time the objections were filed and, under Local
2 Rule 7-18(b) and (c), warrant reconsideration.
3

4 Further, the Opposition conspicuously omits any mention of Dkt. 261, Plaintiff's Motion to
5 Compel Compliance with Local Rule 7-3, or the April 9 supplemental submission that includes direct
6 evidence of procedural evasion and threats by defense counsel. This silence is particularly revealing
7 in light of the State Bar's institutional interest in maintaining a public posture of procedural propriety.
8 Its refusal to acknowledge or even address the procedural environment surrounding its motion
9 suggests a narrow, outcome-driven response designed to wall off exposure rather than engage with
10 the full factual and procedural record.
11
12

13 Finally, the Opposition misstates the purpose of Plaintiff's reconsideration motion. It is not an
14 attempt to relitigate settled arguments, but a narrowly tailored response to the Court's legal and
15 procedural omissions, omissions that not only prejudice Plaintiff's claims but now impair the
16 integrity of the appellate record. Plaintiff has not repeated prior arguments; he has presented
17 subsequent evidence, misapplied law, and unaddressed facts, all of which independently meet the
18 standard for reconsideration.
19
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21 Respectfully, the State Bar Defendants have offered no valid basis to deny reconsideration
22 and have instead provided a narrowly tailored defense that avoids the larger procedural failures now
23 shaping the case. Plaintiff reiterates his request that the Court correct these omissions promptly to
24 preserve judicial integrity, reduce appellate exposure, and avoid further compounding the procedural
25 deficiencies already documented.
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MEMORANDUM OF POINTS AND AUTHORITIES

I. BACKGROUND AND PROCEDURAL HISTORY

On March 27, 2025, the Court issued its ruling adopting the Magistrate Judge’s recommendation and entered judgment in favor of the State Bar Defendants (Dkt. 248). On March 28, Plaintiff filed a timely motion timely supplement to his motion for reconsideration (Dkt. 260), identifying clear legal omissions and introducing newly available evidence, including post-ruling public disclosures and further clarification of institutional roles relevant to Plaintiff’s claims.

The State Bar Defendants responded on April 11, 2025 (Dkt. 262), characterizing the motion as a restatement of prior objections and asserting that no new material facts have been introduced. In doing so, they reiterated arguments regarding Eleventh Amendment immunity without acknowledging key distinctions raised in Plaintiff’s motion, particularly those grounded in the individual-capacity framework under *Ex Parte Young* and *Hafer v. Melo*, 502 U.S. 21 (1991)(confirming that state officials sued in their personal (individual) capacities are not shielded by the Eleventh Amendment, even if the conduct was undertaken under color of state law, so long as the plaintiff seeks damages from the official personally, not the state treasury).

Notably, the Opposition inaccurately cites the Second Amended Complaint as the basis for Plaintiff’s arguments (see Dkt. 262 at 5:7–18), even though the operative pleading at the time of the Court’s ruling was the Third Amended Complaint (TAC), and the motion for reconsideration does

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1 not rest on allegations from any prior complaint. Rather, it introduces post-ruling material, including
2 the April 2, 2025 State Bar governance update—which was not available to Plaintiff prior to
3 judgment and speaks directly to the continuing institutional involvement at issue. The Opposition’s
4 reliance on the SAC and prior objections misrepresents the procedural history and fails to rebut the
5 central basis for reconsideration.
6

7
8 To be clear, the mischaracterizations at issue in Dkt. 262 pertain to the continued invocation of
9 sovereign immunity defenses without properly addressing the individual-capacity nature of the
10 claims, the structural composition of the requested relief, and recent factual developments since the
11 ruling.
12

13 14 **II. LEGAL STANDARD AND APPLICATION OF LOCAL RULE 7-18**

15 The Opposition inaccurately frames Plaintiff’s motion as a prohibited reiteration of prior
16 arguments under Local Rule 7-18, yet fails to acknowledge the critical distinction between repetition
17 and refinement.
18

19 Plaintiff does not restate objections previously overruled; rather, the motion presents new and
20 materially relevant evidence—including the April 2, 2025 update on State Bar roles—that arose only
21 *after* the Court’s March 27, 2025 Order. That update, along with Plaintiff’s supplemental submission,
22 provides context and institutional admissions not previously before the Court and directly undermines
23 assumptions adopted in the Court’s ruling. Moreover, Plaintiff identifies clear omissions of
24 controlling precedent and legal frameworks, including those governing individual-capacity claims
25 and prospective relief. Local Rule 7-18(c) expressly permits reconsideration where the Court has
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1 failed to consider material facts or controlling law. Plaintiff's motion meets that threshold and is not
2 precluded by the narrow interpretation advanced in the Opposition.
3

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5 **III. THE MOTION IS GROUNDED IN POST-RULING EVIDENCE AND**
6 **CLEAR LEGAL OVERSIGHT**

7 Contrary to the Opposition's suggestion, the Motion for Reconsideration and supplement identify
8 multiple grounds for relief, including:
9

- 10 a. The omission of controlling precedent (e.g., *Students for Fair Admissions* and *Ex Parte*
11 *Young*);
12
13 b. Undisputed procedural developments after the Court's March 27, 2025 Order;
14
15 c. And, notably, newly confirmed admissions of systemic record suppression by the State Bar,
16 including acknowledgment of over 16,000 documents withheld from review—facts not in the
17 record at the time of briefing.
18

19 These are not restatements. They are either unaddressed errors of law or materially new facts
20 postdating the Order, and therefore well within the scope of L.R. 7-18(b) and (c).
21

22 The Opposition's characterization of the April 2 update as immaterial is itself conclusory and
23 unsupported by analysis. It fails to reconcile the contradiction between the State Bar's litigation
24 posture—which has repeatedly framed its regulatory roles as extinguished or irrelevant—and its own
25 public disclosures confirming ongoing institutional participation in matters directly relevant to
26 Plaintiff's claims. This conflict bears materially on the Court's finding of mootness and justiciability.
27

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1 The State Bar’s refusal to engage with the substance or timing of the update renders its opposition
2 incomplete and procedurally inadequate under L.R. 7-18(c)
3

4 **A. THE APRIL 2 UPDATE IS MATERIAL AND THE OPPOSITION AVOIDS ITS**
5 **SUBSTANCE**

6 The Opposition seeks to minimize the April 2, 2025 State Bar update (referenced in Plaintiff’s
7 supplemental filing) as “general” and “conclusory,” yet fails to engage with its **core admission**: that
8 leadership roles connected to regulatory and diversity oversight remain **directly relevant to the**
9 **factual claims in this action**. The State Bar’s ongoing presence in roles connected to institutional
10 oversight, after representing to the Court that these matters were closed or moot, presents an active
11 contradiction that warrants reconsideration.
12

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14 Moreover, the Opposition entirely **sidesteps the evolving procedural record** reflected in
15 Plaintiff’s Motion to Compel Compliance with Local Rule 7-3 (Dkt. 261) and the accompanying
16 supplemental filing, but not yet docketed at time of this writing, submitted April 9, 2025. The
17 omission of any mention of this motion, which documents misconduct by defense counsel and raises
18 direct implications for institutional fairness, underscores the narrow framing of the Opposition and its
19 resistance to full procedural accountability.
20
21

22 **B. RECONSIDERATION MOTION ADDRESSES CLEAR LEGAL AND**
23 **PROCEDURAL OMISSIONS**

24 Plaintiff does not rely on the April 2 update to ‘revive’ specific counts under Title VI or
25 discrimination standards already ruled upon. Rather, Plaintiff submits that the governance update
26
27

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1 materially contradicts prior representations regarding institutional detachment, undermining the
2 Court's justiciability and immunity analysis—not reasserting now-dismissed claims.
3

4 The Motion is not a restatement of prior arguments because it highlights:
5

- 6 i. The absence of strict scrutiny analysis required under recent Supreme Court precedent (*SFFA*
7 *v. Harvard*);
8
9 ii. The Court's omission of required individual-capacity analysis under *Ex Parte Young* and
10 *Hafer v. Melo*;
11
12 iii. And the judicial notice motions (Dkts. 197, 199, 241) that form a central part of Plaintiff's
13 constitutional and factual claims.
14

15 The State Bar's Opposition makes no meaningful attempt to rebut these omissions. It instead offers a
16 procedural shield against correction, without engaging with the substantive deficiencies raised in the
17 reconsideration motion.
18

19 **C. FAILURE TO ADDRESS PROCEDURAL IRREGULARITY**

20 Nowhere does the State Bar address the Court's prolonged delay in ruling on the motion to amend
21 (Dockets 163/164) or the contradiction between the Court's acknowledgment of Rule 8 compliance
22 and subsequent denial under Fed. R. Civ. P. 15. This omission tacitly concedes that Todd's concerns
23 regarding judicial inaction have merit and are not repetitive.
24

25 The Court has the inherent authority to enforce its procedural rules and ensure compliance where
26 parties have engaged in bad faith or obstructive conduct. See *Landis v. North American Co.*, 299 U.S.
27

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1 248, 254 (1936) (“The power to stay proceedings is incidental to the power inherent in every court to
2 control the disposition of the causes on its docket with economy of time and effort for itself, for
3 counsel, and for litigants.”).

4
5
6 **D. RELIANCE ON SOVEREIGN IMMUNITY AND ELEVENTH AMENDMENT**

7 The Eleventh Amendment does not bar a federal court from granting prospective injunctive
8 relief against state officials when the relief is based on violations of federal law, even in complex
9 regulatory contexts.

10 The Opposition restates broad immunity defenses, but avoids engaging with:

- 11
12 a. The individual-capacity conduct (regulatory omissions, transcript manipulation awareness,
13 and concealment of compliance failures);
14
15 b. Precedents such as *Ex parte Young* and *Verizon Md. Inc. v. Pub. Serv. Comm’n of Md.*, 535
16 U.S. 635 (2002) that permit claims for injunctive or declaratory relief against state officers
17 acting outside statutory authority.

18
19 **IV. CONCLUSION**

20 The Opposition does not substantively rebut the legal authority cited in the motion for
21 reconsideration, nor does it engage with the import of new post-ruling facts. It instead reasserts
22 categorical immunity defenses without addressing the individual-capacity framework or the
23 implications of ongoing institutional participation in matters central to the litigation.
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1 Plaintiff respectfully requests that the Court grant the motion for reconsideration or, in the
2 alternative, defer ruling until the full post-ruling record—including Plaintiff's supplemental April 9
3 filing—is docketed and reviewed.
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6 Dated: April 11, 2025

7 Respectfully submitted,
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Todd R. G. Hill
Plaintiff, Pro Se

STATEMENT OF COMPLIANCE WITH LOCAL RULE 11-6.1

The undersigned party certifies that this brief contains 1,807 words, which complies with the 7,000-
word limit of L.R. 11-6.1.

Respectfully submitted,



April 11, 2025

Todd R.G. Hill

Plaintiff, in Propria Persona

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PLAINTIFF'S PROOF OF SERVICE

This section confirms that all necessary documents will be properly served pursuant to L.R. 5-3.2.1 Service. This document will be/has been electronically filed. The electronic filing of a document causes a "Notice of Electronic Filing" ("NEF") to be automatically generated by the CM/ECF System and sent by e-mail to: (1) all attorneys who have appeared in the case in this Court and (2) all pro se parties who have been granted leave to file documents electronically in the case pursuant to L.R. 5-4.1.1 or who have appeared in the case and are registered to receive service through the CM/ECF System pursuant to L.R. 5-3.2.2. Unless service is governed by Fed. R. Civ. P. 4 or L.R. 79-5.3, service with this electronic NEF will constitute service pursuant to the Federal Rules of Civil Procedure, and the NEF itself will constitute proof of service for individuals so served.

Respectfully submitted,



April 11, 2025

Todd R.G. Hill

Plaintiff, in Propria Persona

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